

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION

LEONARD C. ASH, Individually and on )  
Behalf of All Others Similarly Situated, )  
Plaintiffs, )

V. )

POWERSECURE INTERNATIONAL, )  
INC., SIDNEY HINTON, and )  
CHRISTOPHER T. HUTTER, )  
Defendants. )

**JUDGMENT IN A CIVIL CASE**  
**CASE NO. 4:14-cv-92-D**

**Decision by Court.**

This action came before this Court for ruling as follows.

IT IS ORDERED, ADJUDGED, AND DECREED that the court GRANTS defendants' motion to dismiss [D.E. 54] and DISMISSES plaintiffs' amended complaint. Additionally, the court DENIES AS MOOT defendants' motion for judicial notice and notice of incorporation by reference [D.E. 57].

**This Judgment Filed and Entered on September 14, 2016, and Copies To:**

Michael A. Ostrander	(via CM/ECF Notice of Electronic Filing)
L. Bruce McDaniel	(via CM/ECF Notice of Electronic Filing)
Gary W. Jackson	(via CM/ECF Notice of Electronic Filing)
Barry M. Kaplan	(via CM/ECF Notice of Electronic Filing)
Gregory L. Watts	(via CM/ECF Notice of Electronic Filing)
Lee M. Whitman, Jr.	(via CM/ECF Notice of Electronic Filing)

DATE:  
September 14, 2016

JULIE RICHARDS JOHNSTON, CLERK  
(By) /s/ Nicole Briggeman  
Deputy Clerk